

VZCZCXYZ0003
RR RUEHWEB

DE RUEHOT #0334 1241809
ZNR UUUUU ZZH
R 041809Z MAY 09
FM AMEMBASSY OTTAWA
TO RUEHC/SECSTATE WASHDC 9385
INFO RUEHBY/AMEMBASSY CANBERRA 1425

UNCLAS OTTAWA 000334

SENSITIVE
SIPDIS

STATE FOR OES/OPA (O'BRIEN)

E.O. 12958: N/A
TAGS: [CA](#) [ECON](#) [EIND](#) [ETRD](#) [EWWT](#) [KTIA](#) [PREL](#) [SENV](#)
SUBJECT: CANADA SUPPORTS U.S./AUSTRALIA ON SHIP RECYCLING
CONVENTION

REF: SECSTATE 41904

¶1. (sbu) Econcouns and Emil Stojanovski, Third Secretary at the Australian High Commission, delivered reftel joint demarche on the draft international convention for the safe and environmentally sound recycling of ships to Transport Canada's Manager for Environmental Protection Paul Topping on May 4. Topping, who will lead Canadian delegation to the International Maritime Organization's diplomatic conference in Hong Kong on May 11-15, said Canada would support the U.S./Australia proposed amendments to the draft convention. Topping, however, expressed doubt that India and the European Union would agree to the U.S./Australian position. He stated that if the U.S./Australia proposal is blocked in Hong Kong, Canada would be ready to broker a compromise by re-introducing its own proposal regarding convention "non-parties" from the March 2008 Marine Environment Protection Committee (MEPC). Topping provided the text of the Canadian proposal, which follows below.

¶2. (u) Begin text of compromise Canadian proposal

Proposed text for the Convention and its Annex

Regulation 2ter - Relationship to States not Party to the Convention

¶1. Parties shall encourage States that are not Party to the Convention to become Parties.

¶2. Subject to paragraph 4, a Party with an authorized Ship Recycling Facility may accept a ship flying the flag of a State that is not a Party for recycling at the Party's authorized ship recycling facility, if the Party ensures that the ship meets the following provisions:

- .1 regulation 5, paragraph 4;
- .2 regulation 8, paragraphs .2 to .5;
- .3 regulation 9;
- .4 regulation 10, paragraph 1.4 and 2.4;
- .5 regulation 11, paragraph 11;
- .6 regulation 14, paragraphs 2 to 4;
- .7 regulation 24, paragraph 1; and
- .8 regulation 25.

¶3. Subject to paragraph 4, a Party with a ship flying its flag may allow its ship to be recycled at a Ship Recycling Facility in a State that is not a Party if the Party ensures that the Ship Recycling Facility meets the following provisions:

- .1 regulation 8, paragraph 3;
- .2 regulation 9;
- .3 regulation 15,
- .4 regulation 16, paragraphs 1 and 2
- .5 regulation 17 paragraph 1; and

.6 regulations 18 to 25.

¶4. A Party shall communicate to the Organization the mechanism by which it ensures that the State that is not a Party will meet the identified provisions of this Annex as set out in paragraphs 2 and 3 and that the State accepts this mechanism.

¶5. When a Party establishes a mechanism referred to in paragraph 4, another Party may request to participate in that mechanism and may do so on the agreement of both the Party and State involved. The Parties involved shall communicate such arrangements to the Organization.

¶6. The Organization will provide annually to all Parties, and Member States, a report summarizing information it received under paragraphs 4 and 5.

End text of compromise Canadian proposal.

Visit Canada,s North American partnership community at [http://www.intelink.gov/communities/state/nap /](http://www.intelink.gov/communities/state/nap/)

BREESE